REMARKS

Reconsideration and withdrawal of all grounds of rejection are respectfully requested in view of the above amendments and the following remarks. Claims 1-7, 10-14, 16-18, 20-22 and 24-33 were rejected. By this Amendment, claims 1, 10, 16, 20, 28 and 29-33 have been amended. Consequently, claims 1-7, 10-14, 16-18, 20-22, and 24-33 are now pending.

The undersigned wishes to thank the Examiner and her Primary Examiner Jean Corrielus for courtesies extended during a telephone interview conducted on March 25, 2004. We understand that the Examiner will prepare and report an appropriate Interview Summary.

The Examiner has rejected independent claims 1, 10, 16, 20 and 28 under the first paragraph of 35 U.S.C. § 112 for failing to comply with the written description requirement.

By way of example, the Examiner has asserted that claim 1 contains subject matter which was not described in the specification is such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner has objected to the subject matter of "probability model." As discussed in the above-identified interview, the specification discloses subject matter known in the art as a probability model at page 11, lines 15-18. Claim 1 has been amended to include language from pending claim 29 which describes the model as having data element values (note, the v_j from the page 11 description) in a range. The adjective "probability" in reference to the term model has been deleted. The added language adequately conveys to one skilled in the art the term "model" used in association with a probability of observing a value. The Examiner will note that independent claims 10, 16, 20 and 28 have been similarly amended with language from dependent claims 30 – 33. In view of these amendments and the discussion during the interview, these claims comply with the written description requirement of the patent statute.

During the aforementioned interview the Examiner indicated the subject matter of claims 29 – 33 would likely be allowable if the other 35 USC §112 issues in the independent claims from which those claims depended could be resolved. Applicants have added language from claim 29 to claim 1 but have not recited in claim 1 the range as falling within the value of 0 to 1. This is done so that a potential infringer could not utilize a model that artificially scaled the values of the probability model in an attempt to avoid literal infringement. The claim still conveys the fact that the models are used to predict votes by a similarity scoring that reflects

similarity between one model that summarizes one group of the plurality of groups and the model is derived data points in a range.

Reconsideration and withdrawal of the rejections of claim 1 is requested.

The Examiner has objected to claims 10-14, 16-18, 25-26, and 30-31 because of various informalities. In response, the undersigned has submitted amendments to claims 10 and 16 in accordance with the Examiner's suggestions. Therefore, withdrawals of these objections are respectfully requested.

As noted previously claim 1 has been amended to include limitations of dependent claim 29, claim 10 has been amended to include limitations of dependent claim 30, claim 16 has been amended to include limitations of dependent claim 31, claim 20 has been amended to include limitations of dependent claim 32 and claim 25 has been amended to include limitations of dependent claim 33. It is believed that review of the recitations in independent claims 1, 10, 16, 20 and 25 will result in allowance of those claims.

The Examiner has rejected claims 1-6, 24 and 29 under 35 U.S.C. § 103(a) as being unpatentable. Independent claim 1 is directed to a computer-implemented process and as noted above, as amended claim 1 is allowable. Further, it is submitted that claims 2-6, 24, and 29 are patentable at least by virtue of dependence on claim 1. Therefore, withdrawal of this rejection is respectfully requested.

The Examiner has rejected claim 10-14, 25 and 30 under 35 U.S.C. § 103(a) as being unpatentable. As stated above, amended claim 10 is allowable. Also, it is submitted that claims 11-14, 25, and 30 are patentable at least by virtue of dependence on claim 10. Therefore, withdrawal of this rejection is respectfully requested.

The Examiner has rejected claim 16-18, 26 and 31 under 35 U.S.C. § 103(a) as being unpatentable. As stated above, amended claim 16 is allowable. Also, it is submitted that claims 17, 18, 26, and 31 are patentable at least by virtue of dependence on claim 16. Therefore, withdrawal of this rejection is respectfully requested.

The Examiner has rejected claim 20-22, 27 and 32 under 35 U.S.C. § 103(a). As stated above, amended claim 20 is allowable and consequently, claims 21, 22, 27 and 31are patentable at least by virtue of dependence on claim 20. Therefore, withdrawal of this rejection is respectfully requested.

The Examiner has rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Breese et al. in view of Post et al. As stated above, claim 28 is allowable. Therefore, withdrawal of this rejection as well as the rejection of dependent claim 33 is respectfully requested.

In view of the above, it is respectfully submitted that the invention of independent claims 1, 10, 16, 20 and 28 is patentable. Further, the subject matter of the remaining dependent claims is patentable at least by virtue of dependence on claims 1, 10, 16, 20 and 28. Therefore, it is believed that all pending claims of this application are in condition for allowance.

Accordingly, entry of the Amendment and a subsequent Notice of Allowance for all pending claims of this application is respectfully solicited. If the Examiner has any questions about this amendment it is requested that the Examiner call the undersigned attorney to discuss those questions.

Respectfully submitted,

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